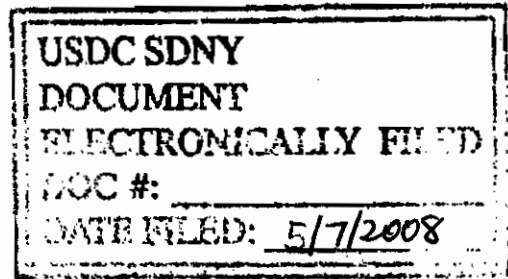


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



PATRICIA CONRADT, as
Administratrix of the Estate of
LOUIS WILLIAM CONRADT, JR.,
Deceased,

Plaintiff,

- against -

NBC UNIVERSAL, INC.,

Defendant.

ORDER

07 Civ. 6623 (DC)

CHIN, District Judge

By letter dated May 2, 2008, plaintiff requests that "this Court exercise jurisdiction over the pending subpoena" issued by defendant in the Eastern District of Texas. Defendant responded by letter dated May 5, 2008, and plaintiff's counsel wrote an additional letter dated May 5, 2008.

The request that this Court exercise jurisdiction over the Texas subpoena is denied. The City of Murphy Police Department is not a party to this action, and was subpoenaed in the Eastern District of Texas.

While this Court does have jurisdiction over the parties, I am not troubled by NBC's handling of this matter. NBC was free to serve a non-party subpoena on the Murphy Police Department; it was required to give notice to plaintiff, and it did so. As long as plaintiff is given the opportunity to be heard in Texas and to participate in any discussions, negotiations, and agreements regarding discovery (including any

protective orders), plaintiff cannot be heard to complain. I note that had plaintiff not insisted that the Murphy Police Department be deemed to have waived any objections if it did not respond to the subpoena by the return date, the motion practice there -- and these letters -- would not have been necessary.

SO ORDERED.

Dated: New York, New York
May 7, 2008


DENNY CHIN
United States District Judge